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6 **Attorneys for Plaintiff**  
**MONUMENTAL LIFE INSURANCE**  
7 **COMPANY**

8  
9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

11  
12 MONUMENTAL LIFE INSURANCE  
COMPANY,

13 Plaintiff,

14 vs.

15 THERESA WILLIAMS;  
16 ESSIE STALLWORTH,

17 Defendant.

Case No. C09 00781-PVT

(Hon. Patricia V. Trumbull,  
Courtroom 5)

18  
19 **STIPULATED JUDGMENT AND  
ORDER FOR DISMISSAL**

20 Upon reading the Stipulation Re Judgment In Interpleader and for Order for  
21 Dismissal made and entered into by plaintiff Monumental Life Insurance Company  
22 ("Monumental") and defendants Theresa Williams ("Williams") and Essie  
23 Stallworth ("Stallworth"), and it appearing to the satisfaction of the Court that  
24 conflicting claims have been made to the lump sum death benefits due and owing  
25 under Monuments' policy nos. MM3434249 and MM4216517 more fully  
26 described in Monumental's Complaint in Interpleader (the "Interpleader Action") as a  
27 result of the death of Louise Williams Dixon ("Dixon"); that Monumental has  
28 deposited with the Clerk of the Court the sum of Six Thousand Nine Hundred  
Sixteen Dollars and 45/100 (\$6,916.45); that this sum is the total amount due and

1 owing to anyone from Monumental on account of Dixon's death; that the  
2 Interpleader Action is properly filed and that this is a proper cause for interpleader,  
3 that the parties have settled their adverse claims to the interpleader funds on deposit  
4 with the Court, and good cause appearing:

5

6 IT IS HEREBY ORDERED, ADJUDICATED AND DECREED:

7

8 1. That the Interpleader Action filed herein by Monumental is properly  
9 filed and that this is a proper cause for interpleader and that Monumental is hereby  
10 granted judgment in interpleader;

11

12 2. That the parties have stipulated to entry of this final Judgment and  
13 Order for Dismissal;

14

15 3. That the parties hereto and their respective representatives, attorneys,  
16 agents and employees are hereby released, discharged and acquitted of and from any  
17 and all liability of any kind or nature whatsoever to each other arising from any  
18 claim set forth, or which could have been set forth, in this action, the subject policies  
19 of insurance and/or the lump sum death benefits due and owing thereunder by  
20 reason of Dixon's the death as more fully described in the Interpleader Action;

21

22 4. That Monumental has waived its rights to recover attorneys fees and/or  
23 costs of suit arising out of the Interpleader Action;

24

25 5. That Stallwroth is awarded the total sum of Two Thousand Dollars  
26 (\$2,000.00) to be paid out of the interpleader funds on deposit with the Court by  
27 check or warrant made payable to "Essie Stallworth" and mailed to 117 Lamar  
28 Estate Road, Selma, AL 36703-5558.

1       6. That the balance of the interpleader funds on deposit with the Court are  
2 awarded to Williams to be paid by check or warrant made payable to "Theresa  
3 Williams" and mailed to 259 N. Capitol Avenue, San Jose, CA 95127-2392;

4  
5       7. That upon payment of the interpleader funds as set forth above, this  
6 entire action is hereby dismissed, with prejudice, with all parties to bear their  
7 respective attorneys fees and costs of suit.

8  
9       Dated: November 13, 2009

*Patricia V. Trumbull*

Patricia V. Trumbull  
Magistrate Judge of the United States  
District Court